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RECENT DEVELOPMENTS IN INTERNATIONAL AND MUNICIPAL LAW

By EDWIN M. BORCHARD, YALE UNIVERSITY.

The charge has frequently been heard in the last few years that international law is in a state of suspended animation and paralytic desuetude. Those who have embraced the view that it is not law at all find in the experiences of the last three years what they consider unanswerable support. To the uninformed, these criticisms of international law as a system make a striking appeal. Yet, when examined in the light of fact and history it will be discovered that the criticism, even in its widest application, can extend only to a very limited portion of the rules governing the conduct of war, and that the great body of the so-called law of nations is constantly enforced in international practice and in courts of law.

International law, in so far as it relates to the rules governing war, is undergoing today the same experience it has had many times in the last two hundred years. Each of the great conflicts in the history of international relations has threatened with destruction the most sacred institutions of the law of nations; yet, nevertheless, the progress of civilization has witnessed the tissue of that law emerge from each crisis tougher and firmer.

There are not a few striking resemblances between the development of private law and of international law during the nineteenth century. These center particularly about the factors making for greater socialization in both fields of law, and the most important of these is the economic factor.

The basis of modern life, national and international, is economic. The revelations of science as applied to industry have worked a metamorphosis in economic conditions since the end of the eighteenth century. These changes have brought in their train social changes, which have been reflected in the law. The eighteenth century philosophy and the individualism of the French Revolution, which found legal expression in the French civil code and its widely diffused progeny in other countries, began slowly to be replaced by the sociological philosophy of the later nineteenth century. Large scale industry, the rapid increase and accumulation of personal property, the growing complexity of business relationships arising out of corporate organization and combination, the concentration of population in urban communities and the ever greater facilities for communication, transportation, and international commerce and intercourse have brought about remarkable changes in social conditions, reflected in the law by transformations in private and public law.

Early nineteenth century individualistic notions of liberty, liability, contract and property have had to yield to new interpretations impelled by the new conception of social solidarity. Former theories of individual liberty have been modified by a recognition of human life as a social asset and of the State's duty to protect it as such, and metaphysical conceptions have almost vanished before the more convincing teleological theory of law; liability has ceased to be altogether subjective and in industrial enterprise and public services has become objective, as in the doctrine of liability without fault; a private contract is no longer a formalistic instrument, but embraces in its legal interpretation ever increasing elements of social purpose; and property is no longer an unlimited subjective right of the owner, but constitutes a public trust.

These changes in legal interpretation have been accompanied by an increasing expansion in the functions of the State, to prevent a violation of what may be called social justice. In our country, the line of demarcation between the police power and the constitutional limitations of the fifth and fourteenth amendments is being gradually moved in the direction dictated by the larger social interests of the State. Whether this represents, particularly in the field of labor legislation, a reaction against Sir Henry Maine's theory of evolution from status to contract or merely a recognition of the necessity for greater protection of the social interests of the State, it is beyond doubt that private property and private rights are now affected with a trust founded on social duties in the public interest.

Again, the necessity for certainty in the law led to the movement for codification, in which practically all the civil law countries of the world have taken part; and the approximation in economic conditions, with the gradual tightening of the bonds of international intercourse, has led to an increasing degree of assimilation of the rules of private, particularly commercial, law and the establishment of rules for the adjudication of conflicts of law among the civilized nations.

An analogous evolution may be traced in the sphere of international law. The vast expansion in foreign trade, the growth of commercial interpenetration and the migration of peoples from overpopulated to undeveloped countries has begun to bring about new conceptions of independence, sovereignty and territorial jurisdiction. Each of these concepts, with their strongly individualistic flavor, has had to be tempered by a recognition of limitations created by the interests of other

states and peoples. The widening substitution of interdependence for independence is recognized in the many devices and measures adopted, in the interests of convenience and order, for a joint regulation of the mutual interests of states. This has taken place in various ways—by the adoption of uniform municipal laws, as in the case of bills of exchange; by the observance of uniform customs, as in the York-Antwerp rules of general average; and principally, by international agreements governing the many spheres of mutual interest which modern economic and social conditions have created. Public administrative unions, covering the post and telegraph, railway transportation, navigation, patents, copyright and trademarks, agriculture, insurance, sanitation, the regulation of sugar production, the opium trade, the African slave trade and liquor traffic, police administration and many other international phases of state activity, evidence the growing solidarity of nations. Coordinate with these agreements are the several international conferences which have achieved valuable results in the adjustment of the conflict of laws in the adjudication of various classes of cases.

Commerce and economic interests are the forces which are bringing about the socialization of international law. The new industrial stage which opened with the introduction of machinery and the improvement in land and water transportation in the early nineteenth century brought a quick realization that war in any part of the world was an economic disturbance for all countries, and efforts were made, with increasing success, to confine its disastrous results to as small an area as possible. Hence the widening range of the rules governing neutrality, to whose development the United States has made notable contributions. Again, developing from treaties between two states to international conferences of nearly universal participation, from the Conference of Paris of 1856 to the Second Hague Conference of 1907 and the London Conference of 1908-9, the rules of land and maritime war have been, in part, codified and standardized. The rules governing military occupation, the effect of war on private property and other private rights, the exercise of the belligerent right of blockade and the rules governing contraband carriage have all been developed in the nineteenth and twentieth centuries in the interests of a growing economic and social advantage in their definition. The inevitable struggle between neutral and belligerent rights in time of war had, until lately, largely by reason of British economic self-interest and support, been practically won by the defenders of the neutrals, and belligerent rights restricted to their narrowest limits.

In more peaceful activities, the policy of commercial penetration and exploitation of undeveloped or backward countries has led to colonial expansion, to spheres of influence, and to overseas investments and markets, by economically strong countries. Here we find the source of the many cases of international friction giving rise to the diplomatic protection of citizens abroad and pecuniary claims. This is practically a phenomenon of the nineteenth century.

As commerce cannot long thrive in an atmosphere of belligerent disturbances, efforts have been concentrated, with considerable success, upon the initiation of methods for settling international disputes without recourse to arms. The nature of many of the disputes arising out of economic relations lends itself to settlement by conciliation and arbitration, which methods of adjusting international differences have made remarkable progress during the last century. Only when these economic

conflicts become political in character, have pacific methods, up to the present time, proved generally ineffective in preventing belligerent action. The dynastic ambition of rulers has been replaced by the economic interest of peoples as the moving cause of international conflicts, and the primary reason for the present world conflagration is to be sought, not in the worship of any particular form of government, democratic or autocratic, but in the clash of economic interests arising out of commercial rivalry, jealousy and fear.

This brief indication of the recent development of municipal and international law by socialization, codification and assimilation may warrant a concluding suggestion as to the future development of law in international relations. The Thirty Years' War, the Wars of Louis XIV, the many continental wars of the eighteenth century, the Napoleonic struggles—have each been followed by an era of law-making designed to establish a more orderly regulation of international relations. The necessity for better organization and the strengthening of international law was emphasized in the last few decades, when the remarkable development of commerce and industry, with the realization of the interdependence of nations, led to several international conferences, terminating with those of the Hague, whose activities seemed to bring very near the day of the international legislature.

In troublous times like the present, it is not sufficiently recalled that although international relations in times of peace have grown continually more complex, the rules governing those relations are commonly observed and judicially enforced. Moreover, the vast growth in arbitration during the last century is unmistakable evidence of the toughening fibre of the law and its processes. Even the laws governing war are not without their sanction, as was shown in the Russo-Japanese war. Only when a majority of the Great Powers, impelled by the exigencies of the moment and their physical ability to depart from its recognized precepts, undertake to violate international law—fortunately only an infrequent occurrence—does the weakness of the system afford justifiable ground for complaint and manifest the necessity for improvement.

Its defects consist, therefore, not in the absence of commonly recognized rules to govern the situations usually arising, nor even in their general non-observance; but rather in the physical inability—under the present international organization—to enforce its sanctions when the Great Powers simultaneously disregard its provisions, and in the lack of a sufficiently strong legal organization of the nations of the world to compel joint action if the rules are violated by any member of the society of nations.

This end, therefore, to bring about the reign of law among nations and to establish a legal organization among them, with agencies and instrumentalities capable of enforcing the rules of law, is to be the aim of the future. In its realization, the world's ablest statesmanship will be required. Let us hope that antiquated notions of sovereignty and nationalistic ambitions for political hegemony will not be permitted to impede the achievement of this noble object, which now more than ever before is the universal need of mankind.

THE NEED FOR COLLEGE INSTRUCTION IN THE USE OF LAW BOOKS

MARY S. FOOTE, NEW HAVEN COUNTY BAR LIBRARY.

Everyone suggests a different remedy for the something which is the matter with the lawyer. First, he should have more general training: he should study sociology, he should study economics, he should study political science, he should study ethics; he should study history, psychology, business methods, accounting. Then he should have more technical training: he should study more courses in substantive law, in adjective law, in public law, in private law, and more books and cases in each. The lawyer's best friends claim for him neither perfection nor omniscience, but among them there are those who believe that a technique in legal research commensurate with his development along other lines is the crying need of the lawyer today.

Before the law school came into its own, the teaching of the law in the law office by the apprentice system yielded not alone the main product—a knowledge of substantive law—but by-products of almost equal value. The familiar association of master and pupil furnished to the latter both legal and moral criteria, and impressed upon him the dignity of his profession. Moreover, the student learned much merely by imitation; he watched and assisted his teacher in the search for precedents, noted the books consulted, the manner of their use, and the purpose served by each; he attended the trial of cases, and judged the results of his instructor by those of others. Legal reasoning and briefing, professional ethics, forensic discussion, court and office practice, all these the young attorney learned as did the man who "had been talking prose all his life without knowing it."

But these by-products of the office regime have been lost in the standardizing process. The old personal relation no longer exists where each instructor has many students and each student many instructors. The professor is, moreover, essentially an instructor in facts, not an instructor in methods. The student now never sees the machinery which yields him his lesson, and little benefit would be his if he might, for the finished product is not the one he must eventually produce. The college professor has become so efficient that he produces no by-products. Nevertheless, if the want remains, a substitute for any lost product will be found, and, in the educational no less than the industrial world, the substitute, produced as a main product, often yields greater satisfactions than its predecessor. A small but increasing number of law schools is equipping its students to cope with the older attorney's rough-and-ready working knowledge of legal literature by separate systematic instruction in the use of law books. The use of law books should be treated as a distinct field, for it is not included in any course of general study, nor any course of technical study in either adjective or substantive law. That knowledge in this field can be systematized will be doubted by no one who heard the papers read at Asbury Park last summer showing how two prominent law schools are meeting the need, or who has been privileged to attend a course of this character.

An indorsement of the giving of such instruction may be based upon three conditions: the lawyer of the past found difficulty in ascertaining the law, the lawyer of the present finds more, and the lawyer of the future can expect little

relief from any other source. The objections to such a course also number three: the subject has not been taught in the past; there is no place for it in the crowded curriculum because some present study would have to be eliminated, and also because the time required would have to be taken from that now devoted to other studies.

The first of these objections, viz., that the subject has not customarily been taught in the past, must be admitted. Passing over for a moment whether recent development in the subject matter of the course has made the need more imperative, it is safe to say that the principal reason for failure to give such instruction has been that the subject was not included among the bar examinations. That the function of the school is to fit the attorney to practice law, not merely to pass the state examinations is, it is true, an idea of comparatively recent origin, but the rapidity of its growth proves that unfavorable conditions, not weakness of the plant, account for its backward state. Read the latest catalogs of prominent law schools: Principles of Legislation, International Law Problems of the European War, Introduction to the Year Books, Comparative Commercial Law, Readings in the Digest of Justinian, and a host of others. The list is reminiscent of bar examination schedules solely because it is so different.

That law school curricula are overcrowded must also be admitted, nor are the prospects of a four-year course sufficiently bright to promise immediate relief. The offering of a course in the use of law books as an "extra," "auxiliary," or "no-credit" course, however, eliminates the question of the comparative value of this course and those of substantive law, a comparison made particularly difficult by the differences in the object of instruction. Nor is the objection that the time required must be filched from studies more deserving a valid one. Once let it be established that all the rewards of increased efficiency will accrue to the attorney possessing this knowledge, and it follows as a corollary that the same rewards will accrue to the student, for, unlike the bulk of his mental acquisitions, the use of this type of knowledge will not be postponed until the commencement of practice, but will serve to lighten his daily task.

Is it true, then, that a real, universal need exists among lawyers for systematic college instruction in the use of law books? Is this need likely to be a continuing one? Is there no other way to meet it? What benefits from such a course may the student expect? These are some of the queries to which answers may fairly be expected before the law librarian renders judgment.

First, however, why should the law librarian concern himself with the problem? Will not his action in so doing be misconstrued? And, assuming that he expresses an opinion, what weight shall be accorded to it? The interest of the law school librarian is easily understood: if he is not already teaching the subject to an organized class, he faces the imminent peril of being called upon to do so. Counsel would unhesitatingly say that advocacy of such a course of instruction was an act against his interest. But the state law librarian, the bar librarian, and the private law librarian, these are the ones who may properly weight public opinion.

No conscientious member of our profession need fear that the lawyers whom he has served will accuse him of seeking his own ease by taking such a stand; his accustomed willing assistance and past helpfulness will free him from that stigma; nor need he fear lest his brother librarians will attribute to him such a motive;

they all know that the answering of questions and discussion of legal problems are vastly more entertaining than routine work. His own conscience also will acquit him of self-seeking. There is no danger that he must sit idle; there will always be a body of office-trained students and others to whom most things bibliographical are new, and, until publishers cease to devise increasingly ingenious legal short-cuts and progress in that art wholly ceases, there will always be new aids to be explained.

The interest of the law librarian springs mainly, however, from his knowledge that his plant is inefficient. A quarter of the book fund is often spent for those books which only make accessible the material which satisfies the needs of our patrons, yet, figuring the tremendous rate of depreciation of this class of books, the average cost for a consultation is many times that of books of permanent value. It is because the librarian realizes the tremendous unutilized resources of his plant, because he knows that the potential demand equals its maximum output, and because he recognizes that the increased consumption of its product will promote both individual and social welfare, that he advocates any project which will add to its efficiency.

When the librarian has expressed an opinion, to what weight is it entitled? His opinion deserves more weight than that of the student because the student cannot foresee what problems the future will bring to him. His opinion is superior to that of the lawyer, first, because no one can judge the value of that of which he is ignorant, and second, because the judgment of the lawyer is, at most, the estimate of his individual need. His opinion is superior to that of the professor because the professor's knowledge of the attorney's need is based, either like the lawyer's, on his individual need, or else on hearsay. The librarian's position makes him a particularly valuable witness. He is unprejudiced; he personally has nothing to gain or lose whatever may be the result. Herein he differs both from the student who, failing to understand that such a course will lighten his present tasks, dreads an increase in his burden, and from the professor, laboring under the same misunderstanding, who sees reason for the student's position, and instinctively resists an attempt to introduce "any new thing" into the curriculum. The librarian is also a competent witness; no one has such excellent opportunity for numerous observations of attorneys at their work, attorneys of varied experience, varied education, varied ability. His personal experience with law books, moreover, enables him to analyze the difficulties brought to his notice, his knowledge enables him to solve and classify them, and his education qualifies him to deduce general propositions as to their cause and cure. What then does the witness say?

Difficulty in finding the law is not a new complaint; almost from the beginning of reporting, lawyers have groaned under the task of ascertaining the law. Lord Coke complained of fifteen volumes of reports; Bacon protested against sixty; early in the nineteenth century Bentham referred to the reports as " a mass, the contents of which defy the industry of an ordinary lifetime to master." Judge Dillon said: "In 1881 the judicial reports of England numbered 2,944 volumes, and in this country, 3,000, and they are increasing at the rate of over one hundred volumes a year," and the reports of the American Bar Association during the next few years are filled with recommendations whose purpose was to reduce this appalling number.

But a marked change has occurred. The criticisms of the American Bar

Association are now directed almost entirely to the problems of time and expense; difficulty in finding the law is scarcely mentioned. The reason for this change lies in the fact that the increased facilities for the examination of legal authorities have almost kept pace with their multiplication.

Another change is in the object of legal research. Case law has pushed to the front. Thirty years ago the Supreme Court of the United States did not hesitate to cite in support of its views such writers as Kent, Story, Sedgwick, Jarman, and Greenleaf; today even the lower courts recognize no authority save cases. Nor may the attorney now limit his search to the cases of his own or neighboring states; he may not stop with the United States or Great Britain, but must seek his precedents from those of every English-speaking nation. And only the careless lawyer will cite a case which he has not personally examined.

The field of operations of the lawyer of the past is scarcely comparable in size with that of the lawyer of today; it has expanded until "small-scale" search for law has become inadequate. Bentham's idea of the "mastery" of reports breeds a smile, and few save librarians concern themselves whether the annual increase in hundreds be three, five, or twenty. To borrow once more from economics, a large proportion of every law library is devoted to books for which there is only a derived demand, books which contain no precedents, and which are of no value save for that which they enable one to find. Specialization is the cry of the day, but the lawyer has been slow to recognize that specialization is possible in the search for legal precedents. The machinery is at hand for lightening his labors, the raw material has been sorted and prepared; when he avails himself of this division of labor, the mechanical part of his work sinks into insignificance.

But all members of the bar have not equal ability, education, and experience with chairmen of committees of the American Bar Association. The question is, Does the average lawyer find difficulty in the use of his books? Why shouldn't he? Law occupies the unenviable distinction of being practically the only science which gives to its novice no training in the use of the tools which must furnish him his living. The chemist spends hours with his chemicals; the geologist and the engineer spend weeks with their instruments in the fields; the sociologist removes to the settlements, the astronomer to the observatory; the surgeon and the physician spend years as internes. Intuition will not even teach football; intuition will not tell a man which club to use for a long shot; but intuition or stray bits of knowledge, accumulated no one knows how nor why, form the weak link of the chain which alone can secure to the young attorney prominence and success.

What is the state of knowledge of the man just admitted to the bar? He knows that the abbreviations for state reports are those that were printed on the states when he studied geography. If English reports are arranged alphabetically, he frequently finds the one he seeks by the primitive method of eliminating all impossible ones. Intuition frequently tells him whether a report was published in the old world or the new, but Harris & Gill is an American report, Anthon's Nisi Prius Cases does not follow Anstruther's Reports, and a volume described as "T. R." does not stand where the works of Theodore Roosevelt would had that gentleman been an English law reporter. The man probably has heard of Cyc, remembers that the Reporter System was explained at school, and knows that the

American Digest contains some remarkable short-cuts to learning; unless he is an exception, just what they were has escaped him.

In the use of law books, the office-trained student has an apparent advantage over the school-trained man. For the former, the aptly-named skeleton tables of the Reporters, the cryptic devices of Shepard's Citations, the key-number which proves the Waterloo of the office stenographer, and the potpourri of figures, capitals and periods which rival calculus in obscurity, have attained some semblance of meaning. Like his knowledge of the law, his knowledge of library aids is broader though not deeper.

If intuition alone will not teach, no more will experience. At the end of five years of practice lawyers, so far as the use of books is concerned, may be divided into two classes: those who have learned, and those who haven't. To the first class belong those who know that citators cover cases, but do not know that they cover statutes; who maintain intimate friendship with Shepard's United States citations, but have never heard of Rose's Notes; who know the purpose and method of use of the Descriptive Word Index but are ignorant of the Common Sense Index; who can trace the key number through the divisions of the American Digest but cannot bridge the gap between an old state digest and a local reporter digest.

Among those who have not learned I class the attorney admitted to the bar at the same time that I was who inquired at my desk, as I wrote this paper, for the South Carolina Reports. Like certain other libraries, we shall not boast of having all the supreme court reports of the United States until the West Company completes its South Carolina Reprint. Instead of answering his question I asked which volume he wished. He admitted he was a little uncertain; the citation was 7 Car. & P. He not only did not know what he wanted, but lacked the first as to how to find out. To the same class belongs the man who refers to a citator as "that little red book by Sherwood," the man who is helpless when the volume he needs has been taken to the courtroom, the man who cannot find an English statute, and the one who, during the rush hour Friday morning, asks the librarian to complete in pencil the twenty-five abbreviations in his brief because he wishes to read his authorities to the court.

All men are not like that, someone suggests; the lawyer of today does find the law. How did he learn to use his books? Why are not the same opportunities open to the present college man? The principal instructors in the use of law books have been librarians and the representatives of publishing houses. For this reason, the man who uses a medium-size library has been the fortunate one; the small library cannot afford to employ a specialist, and the large library, having hired one, proceeds to require him to delegate the task of instruction and devote his time to other things. Neither can the young attorney safely depend for instruction upon the publishing houses. Since the representative's teaching is incidental to selling, he will teach only the aids of his own house, and many of the publishers of valuable aids have no local representatives. Less and less, too, does the young lawyer come in touch with them. In the large office the buying is done by the head of the firm, or someone else high up on the ladder, while the struggling, independent attorney is driven by the rising cost to dispense with books altogether, to borrow, or to seek the nearest library.

The examination of authorities calls for concentrated and sustained thought, but for the man untrained in the use of books this is almost unattainable. What lawyer would attempt to brief a case with a chattering child at his elbow? Yet, to many, the mechanical interruptions of the printed page can be scarcely less distracting. A case selected at random from a volume of state reports, after referring to sections of an old compilation of statutes, cites Schoale and Lefroy, Vesey, McCord's Equity, Carrington & Payne, Fairfield, Atkyns, Bingham, Paige, Bosanquet & Puller, Caines Cases, Taunton, and fifteen other non-geographical abbreviations. Are these statutes the law today? To which sections of the latest compilation do they correspond? What mean these abbreviations? Are they English or American precedents? If the former, where may they be found in the Reprint? If the latter, to which state do they belong? What value as a precedent has the principal case today? Where may other cases on the subject be found? One ordinary case has called into use six distinct types of library aids. With them, the difficulties are surmounted with scarcely greater distraction than taking a book from a shelf. Without them, at every paragraph a tantalizing inquiry breaks in upon the attorney's train of thought. As a prominent lawyer confided recently, "To have to stop looking up a question of law to solve a puzzle, disgusts a man."

The lack of a few hours of systematic training as a student costs the practicing attorney a much greater amount of time, when it does not entirely prevent him from reaching his goal. The best equipped library does a lawyer no good as long as his law reposes on the shelves between the covers of a book. The man who goes into court without knowing whether his "ruling case" has been overruled, who cannot determine in a five-minute recess whether an opponent's precedent represents the weight of authority, or who cannot find at once some sort of law on a newly developed question during trial, is gambling with his own and his client's fortunes, and, sooner or later, will reap a gambler's harvest.

No improvement in conditions will come without positive action. Without that, the lawyer of the future will face all the troubles of his older brother, for the regular courses of instruction will yield no greater knowledge of the use of books than they did in the past. In the meantime, reports, search books and library aids will increase in number and variety, with a proportionate increase in the number and variety of the lawyer's difficulties, and the advantages of his well-trained opponent.

The school which provides such a course may promise many benefits to its students. The lawyer will find his task easier; the nervous strain will be less on account of the decreased confusion; his hours of work will be shorter, and he will have more leisure for original work. His library expense will be less; he will not be numbered among those who purchase two copies of a set under different names; he will not purchase expensive sets composed largely of duplicate material; and his knowledge of what the market affords will enable him to strengthen the weak points of his collection. Because of his higher efficiency, the young attorney may expect, in a salaried position, better pay and more rapid advancement; in independent practice, more numerous and more important cases; and, in both situations, the respect of the court and his brother attorneys. Neither are the benefits confined to his first years of practice. Knowledge of existing types of library aids will assist him to understand new ones; and every year will the value of the time saved become greater.

The current number of the Harvard Law Review contains an interesting quotation from Professor Dicey which is applicable to the contemporary lawyer engaged in legal research: "He is put to make bricks without straw, or rather without having even been taught how bricks are to be made. The oddity of the thing is that he, after all, gets in due time, mainly by the process of imitation, to make pretty tolerable bricks." But at what enormous cost! Is all being done that might, that his time shall not be wasted, his money shall not be thrown away, and his effort shall not be in vain?

AMERICAN ASSOCIATION OF LAW LIBRARIES

PROCEEDINGS OF ANNUAL MEETING HELD AT LOUISVILLE, KENTUCKY, JUNE 23 AND 25, 1917, IN THE AUDITORIUM, HOTEL HENRY WATTERSON.

FIRST SESSION: SATURDAY, JUNE 23, 2:30 P. M.

The meeting was called to order by President Luther E. Hewitt.

President Hewitt: Ladies and gentlemen: It might be of interest to give a brief résumé of the work which has been done during the past ten years by our association as a sort of justification of our existence. Before entering on this résumé I would like to express appreciation of the cordial goodwill shown us by the people of Louisville, by ex-Governor McDermott, Mr. Bullitt, Judge Seymour, Miss Fleming and Mr. Wehle, who, if his government work does not prevent, will read a paper on Monday. We also appreciate the courtesy of the management of the Hotel Henry Watterson.

It is not extraordinary for us to extend a greeting in return to Kentucky, for this is the state of Monroe and Marshall. They were active here in the early days and they presented the governing principles of law in a brief manner that went to the gist of the matter, and their cases are cited even to this day. This is the home, too, of the Kentucky Law Reporter, which led a useful existence for twenty-seven years. When it gave up its work, it was a matter of regret to the legal profession and to the country at large. This was the home of Mr. Justice Harlan, with his majestic fairness, his breadth of view and his lofty and eloquent support of the principles of constitutional liberty. Certainly the Law Library people are glad to come to Louisville, to the home of these men. It is not for a Philadelphian like me to undertake to enumerate the attractions of Kentucky. In the first place Daniel Boone came from Pennsylvania: in the next place, Mr. Bullitt, who spoke to us yesterday, is a near relative of Mr. John C. Dullard, who drew the city charter of Philadelphia under which we are now working. His statue has been erected in Philadelphia.

Kentucky has peculiar attractions and greatness, because it is on the border of all parts of the country. Its northern border looks to the North; its southern border to the South; its eastern line touches the Eastern states, and its western border looks out upon Missouri. It has the good qualities of all these different sections. If you are too warm in Louisville you can quickly find a great refrigerating center to protect you against the heat. If it is too cold, Louisville and Kentucky can supply you with coal. This is the center of the great stove industry,

I believe, of the United States; so whether it is hot or cold you can be suited in Louisville. If you are hungry, the State of Kentucky can give you such agricultural products as your system will require, for it is one of our great agricultural states. No wonder, then, that its men are great and its courses are swift. Now, like the loving mother, Kentucky cherishes the memories and thoughts of these things: in the Kentucky Bar Association's meetings they love to go over their great men's lives, and you can find an account of many of their people at the bar in the reports of the Kentucky Bar Association.

In the ten-year period now ending in the Law Library Association, one of the most effective accomplishments is the fraternal feeling that has been developed among the different law librarians of the United States. Now we all have confidence that we have friends in every part of the Union, and whether we would seek advice as to legal literature in the North, South, East or West, we know to whom to write by reason of this acquaintance that has been developed, and we are always sure of a good, favorable reply.

This ten-year period has seen the establishment of the Index to Periodicals and Law Library Journal, and I would like to speak a word for that publication. It needs more help. We have between one and two hundred members scattered over the United States. The publication is a valuable one. It is under intelligent, able leadership. This has been brought about by Miss Woodard, the editor, and by others of the association, and it is a thing in which we can take pride. If every one of our 150 or more members scattered throughout the country could get in one new member, it would be of most material and important assistance in the publication of the Journal. It is appropriate at this time to pay a tribute to its earliest days when we started in fear and trembling. I remember the faithful and earnest work done by Messrs. Schenk, Glasier, Steinmetz, Poole and Small, and I could name others who, in the days of its formative period, helped to put the Index and Journal on the strong foundation they enjoy today.

This period has seen the preparation and publication by the Library of Congress of the Tentative List of Subject Headings. That was a most important work. It had the assistance of this association both officially and by members in their private capacity. The Library of Congress was most courteous towards our association in requesting advice, and our people responded readily. I do think that the publication of the "Tentative List" did great credit to Dr. Borchard and his assistant. It will promote scientific cataloging throughout the country and tend to its standardization.

We have seen the beginning of the influence of reprints by the different states, of the early session laws about which it would not be right to speak without paying tribute to the work of Mr. Cole. He is a great scholar and bibliographer in the statute law of this country and has prepared many reprints of early laws. Certainly the members of the Law Library Association owe him a debt of gratitude and it must please Mr. Cole to know that this work will continue.

Several states, New York, Massachusetts, Pennsylvania and New Hampshire are publishing such reprints, and I have no doubt others will follow. We are seeing a gradual movement towards a universal index of statute law. This is at present in a crude state, but a beginning has been made.

I think that there must be in the future a more scientific study of law library

cataloging. The present system by cards is probably unavoidable, but we may invent devices and means by which to overcome some of the difficulties that the card system presents. I remember reading a number of years ago a story of a promoter who hurried into his office and, excited and in alarm, said to his clerk, "Hide me, hide me—they are after me. Where shall I hide?" The clerk replied: "Get in the card catalog. I defy anybody to find you there." There is a great advantage in the printed book catalog. The eye can readily run down the page, seeing names and dates. If a person knows tolerably well what he is looking for, he can pick out quickly what he wants. I rather anticipate that the card system of the present is not a permanent system, because I think there will be one invented that will present the advantages of the printed book. Perhaps it will be the loose-leaf system, at the expense of service and yet affording ample means of change.

There will be in the future a greater study as to law library equipment. Law libraries are not like other libraries in all respects. They are places where studies go on for hours, days, and sometimes even for weeks. Some new mechanical conveniences must be devised for the workman. Special tables will be invented on which books can be arranged in temporary classifications for special study. There is one idea that I do not think will ever be worked out, however desirable it may seem. If the library could have a little gymnasium in which a person could, by exercise for fifteen minutes, stimulate his brain power, he would be greatly benefited.

The study of social laws and of criminology are comparatively new subjects for the law libraries of the present day and they are throwing more and more work upon us. We are just entering upon it. Some of our own members have done something in this direction. Dr. Borchard has made careful studies of international law. Mr. Crossley, of Northwestern University, has done able work on the Journal of Criminal Law and Criminology. We take pleasure in feeling that they are actively connected with the formative period of this work.

I have reviewed in a general way the work that has been done. A great deal more could be said, but this one truth will be borne in mind by all: that this country is performing a peculiar mission of its own. It is a noble and inspiring one. It is symbolized in the Statue of Liberty in New York Harbor. This mission is reflected in our Constitution and our statute laws and is a developing one. The old countries have their political shrines. We have ours, and we believe them to be of a higher order, because ours have in them the elements of progress towards those ideal conditions wherein every life will have its fair opportunity, so far as human limitations can afford. With such high aims, we have preserved religiously the Liberty Bell, with its ancient prophecy, proclaiming liberty throughout the land to all the inhabitants thereof. Ours is not such a share of liberty as some monarch here or across the sea would mete out to us; it is the liberty of equal sons, children of the common father of all.

With such high purposes we have taken for our emblem the stars set in the blue of the Heavens with the stripes that signify the blood of our beloved ones—heroes who have suffered that we might be free. Those who dwell in the stars have the vision of the heights. We see the time fast hastening when the stripes in our flag will signify the gorgeous rays of the sun of the universe shining from mount to mount, from political star to political star, bathing all in the radiance of

that light and glory which knows no military or other oppression. Friends, ours are the people who braved the seas and the wilderness in earlier centuries, who dared the conquest of Lewisburg, who prevented annihilation at Braddock's Field, who stood across the green at Lexington; who endured the winter at Valley Forge, who crossed the Delaware amid the ice; ours are the seamen who tamed the insolence of the African powers; the men of Old Ironsides, the United States man-of-war and of the smaller ships of fame; ours the men who took Vincennes and who held back Pakenham at New Orleans; ours the men who carried the flag into the frozen North and even to the Northern Pole; ours are the seamen of the man-of-war Trenton, who went to their death to the music of the Union in the hurricane of the eastern tropics; ours were of the passengers of the Lusitania, who stood erect as they sang "Nearer My God to Thee" while the ship sank down; ours are the men who freed Cuba, yet would not take it for ourselves, and ours the land that gave back to China millions of unspent treasure. We come of a pure, brave race.

Following the President's address, Dr. Edwin M. Borchard's paper on "Recent Developments in International and Municipal Law" was read by Mr. Edwin H. Gholson, of Cincinnati. (Dr. Borchard's paper appears in full in this number of the Law Library Journal.)

A paper on "Printed Cases on Appeal" was to have been given by Mr. J. T. Fitzpatrick, of Albany, New York, but owing to his enlistment in the United States army and consequent work in the Officers' Camp at Fort Madison, he was unable either to prepare the paper or be present at the meeting.

The paper on "Present Day Law Libraries and Their Service to the Community at Large," by Mr. Sumner York Wheeler, of the Essex County Law Library, Salem, Mass., followed, and will appear in the October number of the Law Library Journal.

The reports of the following standing committees were then presented.

REPORT OF COMMITTEE ON INDEX TO LEGAL PERIODICALS AND LAW LIBRARY JOURNAL.

We are all being affected by the increased cost of materials which go into production. This has brought about in a cumulative way, in the past year or year and a half, a deficit which must be met. There are several ways in which this can be done. One way is to increase the price and another way is to cut down the size of the publications by omitting some of the less necessary portions. The committee have talked this over with most of you, I presume, and they do not wish to take any definite stand unless it is left to them; but the committee feel that the proposition should be approached in both ways, both by an increase in price and by the elimination of what might be termed digest material in the Index itself. Aside from those points I think we have had a very successful year. The work of the editor has been most satisfactory to the committee, and I trust to the subscribers, and we all, I think, owe Miss Woodard many thanks for her painstaking care and devotion to this work.

F. O. Poole, *Chairman.*

After discussion, the report was accepted, and it was moved by Mr. Butler, seconded by Mr. Small, that the subscription price to the Index to Legal Periodicals and Law Library Journal for the full year hereafter be $7.50 instead of $5. Carried. Moved by Mr. Butler, seconded by Mr. Small, that the Publication Committee and the editor may, if they think desirable, print a Table of Cases commented upon in the various periodicals and omit reference to such cases in the subject and author index. Carried.

Mr. T. L. Cole: There is another way by which expense in publication can be limited, and that is by condensing the author index. It seems to me that something in the nature of a cross-reference is enough, citing simply the place in the subject-index where the author's name appears. Does the author index answer many questions?

Mrs. Klingelsmith: I am told frequently "Mr. So-and-so wrote an article within the last year or two and I want to find it." The exact subject upon which the author wrote is not known.

Mr. Gholson: My experience is that there are a hundred calls for subject matter to every one for the author's name. It seems to me that the form contained in Jones' Index is sufficiently full for the purpose. During the time that Mr. Glasier had charge of the Index, the author's name was given, and under it the subject under which the article was entered.

Mr. Glasier: I think considerable saving could be made in this way and not result in any great inconvenience to the users of the Index.

Mr. Mettee: I move that the Publication Committee be authorized to change the form of the author index if they find it desirable. Seconded and carried.

After an intermission of five minutes, the President called for the report of the Committee on Instruction in Legal Bibliography. No members of this committee were present, but a letter from Chairman F. C. Hicks stated that during the year he had issued questionnaires, compiled data therefrom and submitted the results to the other members for suggestions. Up to June 19th no suggestions had been forthcoming, hence he asked that another chairman be appointed for this committee. As the report was to have been laid before a committee at the coming meeting of the American Bar Association, it was moved, seconded and carried that Mr. Hicks be requested to continue as chairman and to prepare a report based on his investigations that it might be presented to the American Bar Association as having been presented to this association.

REPORT OF COMMITTEE ON METHOD OF OBTAINING ADVANCE SUPREME COURT REPORTS.

Your Committee reports that there is a printer in Washington who issues these decisions, and they can be obtained by purchase, or a subscription can be made for the advance sheets of the United States Supreme Court reports, the price varying from time to time. If it is possible to secure the assistance of one of the Judges of the Court, the decisions can be secured without any expense, but for most of us that is not feasible. I would like to add that if anybody is interested in getting the name of the printer, and will write me, I will be glad to give the name and address.

F. O. Poole, *Chairman.*

REPORT OF THE COMMITTEE ON LEGAL BIBLIOGRAPHY.

Perhaps one of the most vital questions confronting every library at this time is the continual rise in the prices of new as well as old books which we are obliged to purchase. There has been a gradual advance in price of new publications caused primarily by the increased cost of materials; but the greatest advance is on earlier editions of text books, law reports and statutes. The limited supply is largely the cause of this, though speculation on the part of some dealers is also a factor. Frequently libraries bid against each other and thus force the market price upward. In our opinion, it is not so much the great value of some of the so-called rare volumes as it is the desire to possess; hence there can be no standardization as to price when we are willing to pay the prices asked, whether real or inflated. We are glad to state that there are several second-hand dealers who are satisfied with a reasonable margin of profit, and on these we can depend for fair prices and honest services. New editions have a fixed price and it is only reasonable to presume that the advances are legitimate; but if prices continue to advance, the sums allowed each library for purchases must be increased or the number of volumes purchased greatly lessened.

High price is not the only problem with which we have to cope. There is also the poor quality of paper which is being used by some of the law book firms. It will not be long before the paper in some of the books recently printed will show signs of deterioration, by cracking and crumbling from use. We often wonder how the demand for valuable books of information will be supplied after they are out of print, for surely many of the books now being published will not survive the century by reason of the poor material used.

Binding.—In one particular the scarcity and high cost of leather has proved a blessing, for it has compelled the almost universal use of buckram for binding and has aided materially in carrying out the reform long contended for by this Association. By continued experiments manufacturers have produced good grades of buckram which are in every respect far superior to sheep. Even calf is no longer desirable, as the rapid tanning process destroys the life of the leather, causing the binding to break at the hinges.

Years ago this Association placed itself on record as favoring tape instead of string or muslin for hinge binding, and the tape is now being used quite generally by both the United States and foreign governments, and also by a few law book publishers. Some publishers, however, in an attempt to reduce the high cost, merely encase the printed portion of the volume and use very thin cloth for the hinges. We can do no greater service than to protest and to insist on a more substantial binding and a better quality of paper, even though the cost be a little more.

Exceedingly thin paper and flexible binding are neither practicable nor profitable from the librarian's standpoint. These are being discouraged as undesirable and consequently fewer publications are being issued in that form. The medium-weight paper which some publishers use is giving general satisfaction and is proving a saving in shelf room. Your Committee does not consider pony editions as desirable for library use; they are liable to be lost, are unsightly on the shelves, and waste too much space.

Return of Old Editions.—Two of the three publishers of the new annotated United States statutes require the return of the earlier editions. In the opinion of your Committee, libraries should be permitted to retain the earlier volumes for reference purposes, as citations have already been made and books printed quoting or making reference to particular sections or paragraphs, and the point in question might otherwise be difficult to find. We can see reason for the publisher demanding the return of old editions from individuals and firms, to avoid such sets being sold and continued on the market; but this Association should be recorded as favoring the retention by libraries of the earlier editions, and at the same time their being allowed the usual discount on the difference in price. The publishers doubtless desire the return of the old editions to get them off the market and to sell them for old paper, as the sets would be of little value for other than this purpose.

The publishers of Rose's Notes permit the retention of the first edition by libraries, but, in our opinion, this set is valueless as the subject matter is the same in both editions, the only difference being additional references.

Popular and Short Titles.—We are glad to report that many publishers are including popular titles in the indexes and that there is a tendency toward designating acts or laws by short titles, as is generally done by England and the Colonies.

Legislative Reference.—The work of legislative reference is having a telling effect in producing better and more uniform laws in the various states and reciprocity in the exchange of materials is becoming more and more generally observed. What is true of state institutions is also true as to municipal and bar association libraries, and it is largely through the cooperative effort and influence of this and coordinate associations that the spirit of exchange has been fostered and developed.

Citations.—We would again repeat our recommendation that all new editions should have fixed citations, by which they may be uniformly known and cited, and that the citation so designated be printed on the title page. We are pleased to note that some publishers are observing this suggestion and that it is proving most helpful.

Periodical Checklist.—This Committee, in several previous reports, urged the need of a legal periodical checklist and asked for a volunteer to make the same. Our genial treasurer, Mr. E. H. Redstone, kindly offered to undertake the task, and in a recent communication he says the list is in preparation and will be ready later in the year. This will be a valuable contribution and Mr. Redstone should be commended for his efforts. When the list is prepared arrangements should be made for its publication in some convenient form.

We are still seeking a publisher for a complete checklist or bibliography of the various state bar association proceedings.

Pay-For-What-You-Get.—We are constantly asking for gratuitous copies of valuable publications from various associations, such as bar, industrial, economic, etc., until librarians are rapidly acquiring the "begging habit." The printing of these pamphlets or volumes costs a considerable sum and means a burden on voluntary associations, similar to ours, and we should not expect them to supply the whole country gratuitously. If associations, firms or individuals publish material of an advertising nature, from which financial or other benefit is received, and these publications contain statistics or information worth placing in the library, it

is but natural to expect a copy free; but when publications are issued merely for the benefit of the members of an association, and are such that libraries can also obtain benefit therefrom, we should be willing to pay a small purchase price to partly cover cost of production and postage for mailing.

Your Committee believes that much of the specially printed matter will gradually be placed on a commercial basis, and when we take into account the high cost of labor and material, we should not object. If a nominal price is charged for desirable publications, associations and societies will be able to publish a greater number of copies, thus insuring a supply for all who may desire them. From experience we know that it is difficult, and often impossible, to secure copies of recent proceedings or association publications on account of limited editions. With the increased cost of production, editions will, no doubt, be curtailed and libraries, in many instances, will be deprived of valuable material which should be on their shelves.

Let us encourage the printing of pamphlets and publications by voluntary associations and societies, in sufficient quantity, and express our willingness to pay, if necessary, for what we get.

A. J. SMALL, *Chairman.*

Mr. Wheeler: Mr. Small's report reminds me that we are having a Constitutional Convention in Boston. I think it would be well to take up the matter of securing its reports.

The President: If the Association wants a Committee appointed a motion to that effect will be in order.

Mr. Godard: I would like to make a motion that Mr. Edward H. Redstone be appointed a Committee of one to communicate with the proper authorities of Massachusetts and express the hope that provision may be made whereby it will be possible for the law libraries of the country to secure copies of the Official Publications of that convention.

The motion was seconded and carried.

The President appointed the following committees: Committee on Resolutions, Mr. Edwin H. Gholson and Mrs. Margaret C. Klingelsmith. Committee on Nominations, Messrs. George S. Godard, A. J. Small and Miss Frances A. Davis. Auditing Committee, Messrs. H. L. Butler and E. A. Feazel.

On motion, duly seconded and carried, the meeting then stood adjourned to 9:30 a.m., Monday, June 25, 1917.

SECOND SESSION: MONDAY, JUNE 25, 1917, 9:30 A. M.

The meeting was called to order by President Hewitt.

Mr. Louis B. Wehle, of the Louisville Bar, who was to have presented his paper on "New Forces and the Law," was unavoidably absent and the association adopted a resolution thanking Mr. Wehle for his offer to prepare the paper and requested it for publication in the Law Library Journal.

"The Cooperation of a Library Staff with the Criminal Investigator," by Ed-

ward Oscar Heinrich, B.S., Tacoma, Washington, with a similar paper by Mr. F. B. Crossley, of Northwestern University, will appear in a future number of the Law Library Journal.

A paper by Miss Mary S. Foote, of the New Haven County Bar Library, on "Need for College Instruction in the Use of Law Books," was read by Miss Elizabeth B. Steere, of the University of Michigan Law Library. (This paper appears in full in this number of the Law Library Journal.)

"The Valuation of a Law Library" was read by Andrew H. Mettee, Librarian of the Baltimore Company of the Bar. (This paper will appear in the Law Library Journal.) After discussion by Judge Seymour and Mr. Wheeler, the motion was made, seconded and carried that a committee of three be appointed by the President to draw up a standard form of policy for the insurance of law libraries and that the aid of the American Bar Association be invoked in this behalf.

On motion duly seconded and carried the Report of the Secretary, as printed in the Law Library Journal of July, 1916, was accepted and approved.

The report of the Treasurer, Mr. Edward R. Redstone, was read by him and duly approved by the Auditing Committee, Messrs. Butler and Feazel.

TREASURER'S REPORT.

Boston, Mass., June 25, 1917.

To the American Association of Law Libraries:

I have the honor to present the following report for the year 1916-17:

Receipts.

Balance on hand June 1, 1916	$84.79
H. W. Wilson Company	1,772.42
Dues	98.00
Interest	2.05
Total	$1,957.26

Expenditures.

H. W. Wilson Company	$1,233.57
G. E. Woodard	446.50
Gateway Press	4.00
Hill, Smith & Company	4.25
American Library Association	3.67
Frances V. Smith	45.53
Tucker-Kenworthy Company	11.85
Edward H. Redstone	25.00
Exchange Charges	1.10
Total	$1,775.47
Balance in State Street Trust Company, June 1, 1917	$181.79

Respectfully submitted,

EDWARD H. REDSTONE, *Treasurer.*

We have examined the accounts of the Treasurer and the above report and found them correct.

H. L. BUTLER and E. A. FEAZEL, *Auditing Committee.*

REPORT OF COMMITTEE ON REPRINTING SESSION LAWS.

For *Iowa,* Mr. Small reports that his state is about to publish the session laws for 1915 as well as those of 1917.

Massachusetts has an item in the appropriations of the last General Court providing for clerical labor on the colonial laws. This probably means that the last volume is in process of preparation for the printer.

Mr. Gillingham, of the Oregon Supreme Court Library, has most kindly informed me of a contemplated re-publishing of *Oregon* Session Laws of 1845 by George A. Bateson & Co., 230 Third St., Portland, Oregon. This firm wrote me as follows under date of June 4, 1917: "We are sorry to state that nothing definite has been done with regard to the reprinting of the 1845 session laws as yet, but we will keep your letter on file and let you know as soon as possible the price, etc."

This closes the list so far as we know of official reprints of session laws. Some unofficial reprints have appeared but these it has not been our custom to record or report. We again repeat our petition that this Committee be discharged.

G. E. WIRE, *Chairman.*

Mr. Wilkins, of Illinois, announced the proposed reprinting of the Illinois laws, and upon learning that a bill contemplating such a step was in the hands of the Governor for signature, the association sent the following telegram:

"Louisville, Ky., June 25, 1917.

"Governor Frank O. Lowden, Springfield, Illinois.

"American Association of Law Libraries in session in Louisville has learned with pleasure of passage of act providing for reprinting Illinois laws which will make them available in a larger number of libraries. It hopes this act will have your approval, which will be appreciated by attorneys, historians and students of government.

"Signed, G. E. WOODARD, *Secretary.*"

Mr. Bullitt's offer to publish a Bibliography on Commissions of the Various States based on data to be furnished by the librarians of the several states, was, on motion, gratefully accepted, and a Committee appointed to arrange for this work.

On motion, the several Committees were continued, the President to make necessary changes in their personnel.

The Committee on Nominations, by its Chairman, Mr. Godard, presented the following report, which was adopted. On motion by Mr. Cole, seconded by Mr. Feazel, and carried, the Secretary cast one ballot for the election of the nominated officers for the year 1917-1918:

President—Edward H. Redstone, Social Law Library, Boston, Mass.

1st Vice-President—Edwin H. Gholson, Cincinnati Law Library.

2nd Vice-President—Miss Susan A. Fleming, Louisville Bar Library.

Secretary—Miss Elizabeth B. Steere, University of Michigan Law Library, Ann Arbor.

Treasurer—Mrs. Maud B. Cobb, State Librarian, Atlanta, Georgia.

Executive Committee—President, 1st and 2d Vice-Presidents, Secretary, Treasurer, and Luther E. Hewitt, C. Will Shaffer and Franklin O. Poole.

The following report of the Committee on Resolutions was submitted by Chairman E. H. Gholson:

Resolved—That the American Association of Law Libraries greatly appreciates the care and special attention given to its comfort by the American Library Association and would especially thank the local committee on arrangements for its thoughtful hospitality.

Resolved—That to the National Association of State Libraries we give our warmest thanks for all that they as an association and as individuals are and mean to us, and we desire especially to thank the Honorable Edward T. McDermott, of Louisville, for his admirable and hospitable address of welcome, and the Honorable William Marshall Bullitt, of Louisville, for his able and interesting address which contributed to the pleasure of the first meeting.

Resolved—That we thank most heartily our own officers, all of whom have so conscientiously administered the affairs of the Association, and especially the President, for his work on the program and for his eloquent address which so evidently came not only from his head but from his heart, and we also thank our all-capable and never-tiring Secretary.

We are most sincerely grateful to the Honorable Charles B. Seymour for all his courtesies and to Miss Susan A. Fleming, of Louisville, for her kindness to us as visiting librarians.

Resolved—That we also extend our thanks to the management of this hotel for attention to our comfort and for the true spirit of southern hospitality evidenced in all that they have done for us.

These resolutions were unanimously adopted and ordered spread on the minutes of the association.

The program and general business having been finished, short speeches were called for from visitors and members of the association, and on motion, seconded and carried, the meeting was adjourned sine die.

GERTRUDE ELSTNER WOODARD, *Secretary.*

NOTES ON LEGAL BIBLIOGRAPHY

"The most useful knowledge concerning the law is to know where to find it."

(Law librarians and others are requested to send notes appropriate for this page to Frederick C. Hicks, Law Librarian, Columbia University, New York City.)

The purpose of this department of the Law Library Journal is to record bibliographical information which will aid in finding and using the books that contain the law.*

HOW AND WHERE TO FIND THE LAW

A brief-making contest.
(*In* American Law School Review. v. 1, p. 276-277.)
Prize winners announced on p. 298-299.

A brief-making contest.
(*In* American Law School Review. v. 2, p. 30-31, 48-49.)
The Brief That Won First Prize, by Charles E. Feirich, appears on p. 50-65.

Cooley, Roger W.
Briefing your case.
(*In* American Law School Review. v. 2, p. 334-335.)
An outline of a course of instruction.

Cooley, Roger W.
Examination in legal bibliography.
(*In* American Law School Review. v. 2, p. 509-511)

Cooley, Roger W.
"Manual Training" for lawyers.
(*In* American Law School Review. v. 2, p. 261-265.)
A description of the lecture course given under the auspices of the West Publishing Company.

Examination in legal bibliography.
(*In* American Law School Review. v. 1, p. 284.)
An examination held in the University of Virginia School of Law, April 1, 1904.

Is the average candidate for admission to the bar prepared to pass a satisfactory examination on brief making?
(*In* American Law School Review. v. 1, p. 231-234, 278-283.)
Consists of letters from members of state boards of law examiners and law school faculties.

Keasbey, Edward Q.
Instruction in finding cases.
(*In* American Law School Review. v. 1, p. 69-71.)
The author was chairman of the Committee on Law Reporting and Digesting of the American Bar Association.

Mallory, John A.
The use of law books.
(*In* American Law School Review. v. 1, p. 113-118.)
Chiefly a description of the repositories of the law.

Mason, Alfred F.
Brief-making in law schools.
(*In* American Law School Review. v. 1, p. 294-297.)
An argument in favor of teaching brief-making and the use of law books in law schools.

Peterson, Fred H.
How to be sure to find the law.
(*In* Case and Comment, v. 24, p. 39-41, June, 1917.)
Describes the author's method of legal research.

Prize winners and answers to problems in the Case Finding Contest.
(*In* American Law School Review. v. 1, p. 192-195.)
Gives both problems and answers.

LEGAL BIBLIOGRAPHY

Bishop, Joel P.
The tools of the legal trade, and how to choose them.
(*In* Southern Law Review, v. 4, n. s., p. 50-78, April, 1878.)
Deals chiefly with methods of testing the value of treatises.

Brumbaugh, Jesse Franklin
Estimation of legal literature.
(*In his* Legal reasoning and briefing. Indianapolis, Bobbs-Merrill Co., 1917, p. 208-252.)
Distinguishes between books which "publish" law (statutes and reports), and those which discuss law (treatises, encyclopaedias, periodicals, digests).

Cross, William J.
The lawyer's burden. The alarming increase and multiplicity of law books, their high cost and rapid depreciation, and a suggested remedy.
(*In* Lawyers' Review, v. 2, no. 1, p. 10-15, Oct., 1916.)
The suggested remedies are (1) Curtailment of the decisions themselves, (2) Codification of both the written and unwritten law, and (3) Joint user of libraries and co-operative buying.

Early English law books printed before 1600. I. Year Books. II. Treatises, digests, etc.
(*In* Library of Congress. Report, 1905. p. 163-173.)
Most of the year-books listed were formerly the property of William V. Kellen, of Boston.

* Supplementing Aids to the Study and Use of Law Books. New York, Baker, Voorhis & Co., 1913.

Greenleaf, Simon

Catalogue of a select law library including the dates and prices of the latest edition of each work, prepared, in 1854, by the late Simon Greenleaf, author of Greenleaf's Evidence, and carefully revised and enlarged, in January, 1855, by John Livingston.
(*In* Livingston's Monthly Law Magazine for 1855. v. 3, p. 80-85.)

A subject list of teatises and text-books.
"It is divided into two classes. Class I includes those most useful and important for persons of limited means. Class II includes those highly useful but not indispensable, and auxiliary to those in the first class. Those deemed most essential in each class are marked thus (*)."

Periodicals

Alphabetical index to articles that have appeared in Ohio legal periodicals to November 1, 1914.
(*In* Page, W. H. Digest of the decisions of the courts of Ohio. Cincinnati, W. H. Anderson Co., 1914. v. 8, column 18209-18382.)

A subject and title index with separate index of authors. The periodicals indexed are American Law Record, American Law Journal, Cleveland Law Register, Cleveland Law Record, Cleveland Law Reporter, Ohio Law Journal, Ohio Law Reporter, Weekly Law Bulletin, Weekly Law Gazette, Western Law Journal, Western Law Monthly, Western Reserve Law Journal.
To be continued in supplementary volumes of the digest.

Report of the committee on North Carolina Law Journal.
(*In* North Carolina Bar Association. Proceedings, v. 18(1916), p. 248-249.)

Recommends that the Bar Association publish a journal similar to the American Bar Association Journal.

LEGAL TERMINOLOGY

Subject Headings

Caldwell, Frederick P.

The Kentucky judicial dictionary, being a compilation of all words, phrases and maxims which have been defined, construed, interpreted or applied in reported Kentucky cases, and in the Kentucky constitution, statutes and codes of practice. Cincinnati, W. H. Anderson Co., 1916. 3 v. 8°.

Terry, Henry T.

The arrangement of the law.
(*In* Columbia Law Review, v. 17, p. 291-308, 365-382, April & May, 1917.)

Legal Abbreviations

Abbreviations of American and British elementary law books.—Abbreviations of British and American reports and legal periodicals.
(*In* Gould, Wm. & Son. Catalogue of law books. Albany, 1888. p. 7-81.)

Explanation of abbreviations and references to reports commonly found in law books.
(*In* Cochran, William C. Students' law lexicon. Cincinnati, W. H. Anderson Co., 1909. p. 302-348.)

CASE LAW

United States

[The Appellate Court Lawyer] Report of the committee on library and legal literature.
(*In* Virginia state bar association. Report. v. 10(1897), p. 91-99.)

Remarks on appellate court practice, brief-making, and their influence on official reports and judicial opinions.

[Official law reporting.] Report of the committee on library and legal literature.
(*In* Virginia state bar association. Report. v. 8(1895), p. 53-62.)

Remarks on the writing and reporting of opinions, and the duties of official reporters.

British

A list of English, Irish and Scotch law reports.
(*In* Mozley and Whiteley's law dictionary, 3d ed. London, 1908. p. 284-297.)

An alphabetical list of reports, giving in parallel columns, abbreviations, periods covered, and courts included.

Trials

Alphabetical list of trials.
(*In* Gould, Wm. & son. Catalogue of law books. Albany, 1888. p. 205-238.)

Tables of Cases

Consolidated table of cases.
(*In* Halisbury's Laws of England. London, Butterworth & co. 1915. v. 29.)

This table can be used only in connection with the set. Citations are not given except where there are two or more cases of the same name and date.
"The index is in alphabetical order, first of plaintiffs, and secondly (for cases having the same name for the plaintiff) of defendants. . . . Abbreviated names come in the places in which they would come if written in full." References are to the volumes, subjects and pages of the set where the cases are cited.

Table of cases involving questions of law peculiar to the city and county of New York. Compiled for the use of the Law Department by E. Henry Lacombe and A. H. Masten, 1882. Third edition . . . to October 1, 1895, by James M. Valles. New York, M. B. Brown, 1895. 8°. 155 p.

"Purports to contain all cases to which the City or County of New York, or any officer thereof, are parties, and also all cases between private parties, involving the discussion of points of law peculiar to such city or county."

Citation Books

Caldwell, Fred. P.

Notes to the Kentucky Reports. Being an alphabetically arranged table of all Kentucky cases with reference to each publication in which the case is reported, and with notes showing the point on which each case has been followed, affirmed, approved, cited, construed, criticised, disapproved, distinguished, explained, modified, questioned. Cincinnati, W. H. Anderson Co., 1907-1916.
8°. 5 v.

Covers volmes 1-177, Kentucky Reports.

Thompson, Joseph W.
Notes to the Indiana decisions, showing the present status and value of all cases decided by the Supreme and Appellate courts as determined by the citations of these courts and by all other state and federal courts with references to the annotated reports, legal periodicals and standard text-books. A judicial history of every Indiana case with explanatory notes from 1 Blackford to 182 Indiana Supreme and 1 to 57 Indiana Appellate Reports inclusive. Indianapolis, Bobbs-Merrill Co. 1916.
8°.
5 volumes issued.

ENACTED LAW

Cameron, J. D.
Codes and codification.
(*In* Canadian Law Times, v. 37, p. 177-197, March, 1917.)
Briefly discusses the Roman codes, Code Napoleon, Prussian code (1751), German Civil Code (1900) and the Indian Penal Code (1860). Discusses at length codification in England and the United States as represented by Bentham and Field with the criticisms of Austin and Carter. Author believes that codification is not applicable to "matters of private law."

United States

Acts cited by popular name.
(*In* United States Compiled Statutes Annotated, 1916. St Paul, West Publishing Co., 1917. v. 12, p. 15185-15194.)
"This list is intended to comprise all acts or resolutions of Congress, or Presidential proclamations, which are or have been cited by popular designation."

Virginia

An act to provide a convenient list and easy mode of citation of the acts of Assembly.
(*In* Virginia state bar association. Report, 1889. p. 59-60.)
An act proposed by the Committee on Library and Legal Literature, which was not passed by the legislature. Lists statute books in chronological order, with proposed consecutive volume numbers.

[Virginia codes, 1661-1899.] Report of the Committee on library and legal literature.
(*In* Virginia state bar association. Report, v. 11(1898), p. 55-70; v. 12(1899), p. 58-72.)
Both reports were written by John S. Bryan. A bibliographical and biographical account.

British

[English statute law boks, 1640-1660.]
(*In* Acts and ordinances of the Interregnum, 1642-1660. London, His Majesty's Stationery Office, 1911. v. 3, Introduction.)
Contains much bibliographical information concerning the publication of the acts of this period and the subsequent compilations and collections.

PARALLEL CITATION TABLES

(Statutes)

Kansas

Comparative table
(*In* General statutes of Kansas, 1915. By R. E. McIntosh. Topeka, State Printing Plant, 1917. p. 2440-2477.)
"This table connects the General Statutes of 1909 and the Session Laws of 1911, 1913 and 1915 to the General Statutes of 1915, rendering it possible to turn directly to a given section in this compilation from a reference to the section number of the General Statutes of 1909 or the chapter and section numbers of the session laws published since the General Statutes of 1909. The table also furnishes a means of ascertaining whether a given section has been amended or repealed."

CITATION BOOKS

(Statutes)

Table of (New York) laws and codes amended or repealed.
(*In* Laws of the state of New York).
The tables are cumulative beginning with the year 1909, and are printed at the back of each volume of New York session laws. Those appearing in the volumes for 1916 fill 181 pages. They include (1) Changes in the Consolidated Laws, (2) Changes in Code of Civil Procedure, (3) Changes in Code of Criminal Procedure, (4) Changes in other laws.

AMERICAN STATE REPORTS AND SESSION LAWS EXCLUSIVE OF SIDE REPORTS

Revised to May 1, 1917

Publication	Dates of regular sessions	Source	Latest vol. to appear
Alabama			
Reports	. . .	Secretary of State	195
App. Reports	. . .	Secretary of State	13
Session laws	Quadrennial 1911, 1915, etc.	Secretary of State	1915 2 vols
Alaska			
Reports	. . .	West Publ. Co., St. Paul, Minn.	4
Session laws	Odd years	Secretary of Territory	1915
Arizona			
Reports	. . .	Bancroft, Whitney & Co., San Francisco	17
Session laws	Odd years	State Librarian	1915 Reg. 1915 1st spec. 1915 2nd spec.
Arkansas			
Reports	. . .	F. H. Thomas L. B. Co., St. Louis	125
Session laws	Odd years	Secretary of State	1915
California			
Reports	. . .	Bancroft, Whitney & Co., San Francisco	172
App. Rep.	. . .	Bancroft, Whitney & Co., San Francisco	30
Adv. parts for both sets	. . .	Bancroft, Whitney & Co., San Francisco	
Session laws	Odd years	Secretary of State	Extra session 1916
Colorado			
Reports	. . .	Courtright Publ. Co., Denver	60
App. Reports	. . .	Mills Pub. Co., Denver	27. Discontinued with v. 27
Session laws	Odd years	Secretary of State	1915
Connecticut			
Reports	. . .	Banks L. P. Co., N. Y. City	90
Advance parts	. . .	Banks L. P. Co., N. Y. City	
Session laws	Odd years	State Librarian	1916 spec.
Delaware			
Reports	. . .	State Librarian	28
Chancery Reports	. . .	State Librarian	9
Session laws	Odd years	Secretary of State	1915
District of Columbia			
Appeals	. . .	Lawyers Co-op. Pub. Co., Rochester, N. Y.	44
Acts of Congress pertaining to	Annual	Commrs. of D. C.	1915-16
Florida			
Reports	. . .	G. T. Whitfield, Clerk Supreme Ct.	70
Session laws	Odd years	Secretary of State	1915 2 vols.
Georgia			
Reports	. . .	State Librarian	145
App. Rep.	. . .	State Librarian	18
Session laws	Annual	State Librarian	1916
Hawaii			
Reports	. . .	Jas. A. Thompson, Clerk Supreme Ct.	22
Advance parts	. . .	Jas. A. Thompson, Clerk Supreme Ct.	
Session laws	Odd years	Secretary of Territory	1915
Idaho			
Reports	. . .	Bancroft, Whitney & Co., San Francisco	29
Session laws	Odd years	Secretary of State	1915

Publication	Dates of regular sessions	Source	Latest vol. to appear
Illinois			
Reports	. . .	Callaghan & Co., Chicago	276
Advance parts	. . .	Supreme Ct. Reporter	
App. Rep.	. . .	Callaghan & Co., Chicago	201
Circuit Ct. Repts.	. . .	T. H. Flood & Co., Chicago	3
Session laws	Odd years	Secretary of State	1st & 2d special 1915-16
Indiana			
Reports	. . .	Secretary of State	184
App. Reports	. . .	Secretary of State	60
Session laws	Odd years	Secretary of State	1917
Iowa			
Reports	. . .	T. H. Flood & Co., Chicago	173
Session laws	Odd years	State Law Librarian	1915, published in Code Supplement
Kansas			
Reports	. . .	State Librarian	99
Advance parts	. . .	State Librarian	
Session laws	Odd years	State Librarian	1917
Kentucky			
Reports	. . .	State Librarian	173
Advance parts	. . .	State Librarian	
Kentucky opinions	. . .	Bobbs-Merrill, Indianapolis	15 (Digest v. 2)
Session laws	Even years	State Librarian	1916
Louisiana			
Reports	. . .	State Librarian	139
Session laws	Even years	Secretary of State	1916
Maine			
Reports	. . .	State Librarian	114
Session laws	Odd years	State Librarian	1917
Maryland			
Reports	. . .	King Bros., Baltimore	129
Advance parts	. . .	King Bros., Baltimore	
Session laws	Even years	State Librarian	1916
Massachusetts			
Reports	. . .	Little, Brown & Co., Boston	224
Advance parts	. . .	Little, Brown & Co., Boston	
Session laws	Annual	State Librarian	1916 reg. & ex.
Michigan			
Reports	. . .	Callaghan & Co., Chicago	190
Session laws	Odd years	State Librarian	1915 Local Acts 1915
Minnesota			
Reports	. . .	Keefe-Davidson Co., Minneapolis	134
Advance parts	. . .	Keefe-Davidson Co., Minneapolis	
Session laws	Odd years	Secretary of State	1917
Mississippi			
Reports	. . .	E. W. Stephens Publ. Co., Columbia, Mo.	112
Session laws	Even years	Secretary of State	1916
Missouri			
Reports	. . .	F. H. Thomas Law Book Co., St. Louis	268
App. Reports	. . .	F. H. Thomas Law Book Co., St. Louis	194
Session laws	Odd years	Secretary of State	1917
Montana			
Reports	. . .	Bancroft, Whitney & Co., San Francisco	52
Session laws	Odd years	State Law Librarian	1915
Nebraska			
Reports	. . .	H. C. Lindsay, State Librarian	99
Session laws	Odd years	H. C. Lindsay, State Librarian	1915
Nevada			
Reports	. . .	Secretary of State	38
Session laws	Odd years	Secretary of State	1915

Publication	Dates of regular sessions	Source	Latest vol. to appear
New Hampshire			
Reports	. . .	John H. Riedell, Manchester, N. H.	77
Advance parts	. . .	John H. Riedell, Manchester, N. H.	
Session laws	Odd years	Edson C. Eastman, Concord, N. H.	1915
New Jersey			
Law Reports	. . .	Soney & Sage, Newark, N. J.	89
Equity Reports	. . .	Soney & Sage, Newark, N. J.	86
Session laws	Annual	Secretary of State	1916
New Mexico			
Reports	. . .	State Librarian	21
Session laws	Odd years	Secretary of State	1915
New York			
Reports	. . .	J. B. Lyon Co., Albany	219
App. Div. Repts.	. . .	J. B. Lyon Co., Albany	173
N. Y. Miscellaneous	. . .	J. B. Lyon Co., Albany	97
Session laws	Annual	J. B. Lyon Co., Albany	1916 3v.
Advance parts covering all the above.	. . .	J. B. Lyon Co., Albany	
North Carolina			
Reports	. . .	Secretary of State	171
Session laws	Odd years	Secretary of State	1917
North Dakota			
Reports	. . .	Secretary of State	34
Session laws	Odd years	Secretary of State	1917
Ohio			
Reports	. . .	Cleveland L. B. Co.	93
App. Reports	. . .	Cleveland L. B. Co.	4
Advance parts covering above	. . .	Cleveland L. B. Co.	
Session laws	Odd years	Secretary of State	1915
Oklahoma			
Reports	. . .	State Librarian	46
Criminal Reports	. . .	State Librarian	11
Session laws	Odd years	Secretary of State	1916 ex.
Oregon			
Reports	. . .	Bancroft, Whitney & Co., San Francisco	82
Session laws	Odd years	Secretary of State	1917
Pennsylvania			
State Reports	. . .	Geo. T. Bisel & Co., Philadelphia	255
Superior Court Repts.	. . .	Geo. T. Bisel & Co., Philadelphia	64
District Reports with advance parts, including advance parts in the first two series	. . .	Legal Intelligencer, Philadelphia	25
Session laws	Odd years	Secretary of State	1915 2 vols.
Philippines			
Reports	. . .	Bureau Insular Affairs, Washington, D. C.	30
Session laws	Annual	Bureau Insular Affairs, Washington, D. C.	1915-16, 1916 spec.
Porto Rico			
Reports	. . .	Bureau Insular Affairs, Washington, D. C.	23
Session laws	Annual	Bureau Insular Affairs, Washington, D. C.	1916
Rhode Island			
Reports	. . .	State Librarian	38
Acts and Resolves	Annual	State Librarian	1916
Public laws	. . .		Ja 1916
South Carolina			
Reports	. . .	R. L. Bryan, Columbia, S. C.	104
Advance parts	. . .	R. L. Bryan, Columbia, S. C.	
Session laws	Annual	Secretary of State	1916
South Dakota			
Reports	. . .	State Publ. Co., Pierre, S. D.	36
Session laws	Odd years	Secretary of State	1917

Publication	Dates of regular sessions	Source	Latest vol. to appear
Tennessee			
Reports	. . .	E. W. Stephens Pub. Co., Columbia, Mo.	136
Session laws	Odd years	Secretary of State	Extra session 1916
Texas			
Reports	. . .	Southern L. Book Publishers, Austin, Tex.	106
Civil Appeals	. . .	T. H. Flood & Co., Chicago	62
Criminal Reports	. . .	Southern L. Book Publishers, Austin, Tex.	76
Session laws	Odd years	Secretary of State	1917
Utah			
Reports	. . .	Callaghan & Co., Chicago	47
Session laws	Odd years	The Kelly Co., Salt Lake City	1917
Vermont			
Reports	. . .	State Librarian	89
Advance parts	. . .	John W. Redmond, Reporter, Newport, Vt.	
Session laws	Odd years	State Librarian	1917 rev.
Virginia			
Reports	. . .	Secy. of Commonwealth	119
Advance parts entitled Va. and W. Va. Appeals	. . .	Appeals Press, Richmond, Va.	
Session laws	Even years	Secy. of Commonwealth	1916 reg.
Washington			
Reports	. . .	Bancroft, Whitney & Co., San Francisco	93
Advance parts	. . .	Bancroft, Whitney & Co., San Francisco	
Session laws	Odd years	Secretary of State	1915
West Virginia			
Reports	. . .	Secretary of State	76
Advance parts (See Virginia)			
Session laws	Odd years	Secretary of State	1915 reg., 1915 1st and 2nd extra
Wisconsin			
Reports	. . .	Callaghan & Co., Chicago	164
Session laws	Odd years	State Supt. of Pub. Prop'ty, Madison	1916 spec.
Biennial compilation by the State Reviser	. . .	State Supt. of Pub. Prop'ty, Madison	1913
Wyoming			
Reports	. . .	Callaghan & Co.	23
Session laws	Odd years	State Librarian	1917
United States			
Reports	. . .	Banks L. P. Co., N. Y. City	241
Reports L. Ed.	. . .	Lawyers Co-op. Pub. Co., Rochester, N. Y.	60
C. C. A.	. . .	West Pub. Co., St. Paul, Minn.	150
Porto Rico Federal	. . .	Lawyers Co-op. Pub. Co., Rochester, N. Y.	8
I. C. C.	. . .	Govt. Printing Office, Washtn., D. C.	41
Court of Claims	. . .	Govt. Printing Office, Washtn., D. C.	51